



June 3, 2011

Both the Senate and Assembly spent all week debating bills to meet Friday's deadline to pass bills out of their house of origin. As usual, legislators were supportive of their colleagues' bills and very few failed on the floor. The following is a list of bills that Farm Bureau is working on that passed their respective house of origin and will now move to the second house for another round of policy committee hearings:

AB 6 (**Felipe Fuentes, D-Sylmar**) improves access to CalFresh, California's "food stamp" program, by streamlining the reporting requirements, implementing cost saving measures to fraud prevention efforts, and implementing a "heat and eat" provision that increases access to additional federal funding. The final Assembly vote was 49-27 and Farm Bureau supports.

AB 51 (**Mariko Yamada, D-Vacaville**) imposes significant Labor Code restrictions on the use of payroll cards. Farm Bureau and a broad coalition of business organizations have joined together to express concern that AB 51 will make the use of payroll cards very unattractive for employers, denying employees the convenience of payroll cards as an alternative to paying excessive check cashing fees or carrying large amounts of cash. The bill was amended to treat payroll cards in the same manner as direct deposits under the Labor Code; however, backers of the original legislation objected to the amendments and they were withdrawn. The bill passed out of the Assembly on a 51-27 partisan vote. Farm Bureau is opposed.

AB 69 (**Jim Beall, D-San Jose**) improves access for California seniors to CalFresh, California's "food stamp" program by coordinating with the federal Social Security Administration to simplify the application process. The final vote was 54-21 and Farm Bureau supports.

AB 243 (**Luis Alejo, D-Salinas**) requires Farm Labor Contractors to disclose information about the farmers and ranchers they work for on their workers' pay stubs. AB 243 has been referred to the Senate Labor and Industrial Relations Committee, but no hearing date has been set. Farm Bureau opposes.

AB 292 (**Cathleen Galgiani, D-Tracy**) would require the High Speed Rail Authority to appoint an agricultural advisory committee to advise the Authority on the impact that its policies, plans and procedures will have on agriculture. The bill was recently amended to also require that the Authority appoint the nine member advisory committee from a list of nominees recommended by the Secretary of the Department of Food and Agriculture. The final Assembly vote was 70-4 and Farm Bureau supports.

AB 316 (**Wilmer Carter, D-Rialto**) was amended yet again and now would make stealing copper materials with a value of \$950 or more, grand theft, punishable by a fine of up to \$2,500 or

imprisonment in county jail/state prison plus a fine. The bill passed the Assembly on a 74-2 vote. Farm Bureau is in support.

AB 349 (**Wes Chesbro, D-Eureka**) would extend the sunset of the Highway 101 exemption that allows licensed carriers of livestock utilizing semi-trailer combinations, which do not exceed 70 feet in total length and kingpin to rear axle settings of 43 feet instead of the current 40 feet, access to Humboldt, Del Norte and Mendocino counties via Highway 101. The final Assembly vote was 71-0. Farm Bureau supports.

AB 359 (**Jared Huffman, D-San Rafael**) requires local agencies to identify groundwater recharge areas, provides protections for those areas and requires the maps be provided to local planning agencies. Farm Bureau removed opposition after the author agreed to the amendments to address our concerns regarding property owner notification. The bill passed out of the Assembly on a 74-1 vote and now goes to the Senate.

AB 581 (**John A. Perez, D-Los Angeles**) creates and funds the California Healthy Food Financing Initiative to expand access to healthy foods in underserved communities. The federal government created a Healthy Food Financing Initiative in 2010 as a partnership between the federal Departments of the Treasury, Agriculture, and Health and Human Services to promote a range of interventions that expand access to nutritious foods in communities that currently lack access to healthy food. The final vote was 76-0 and Farm Bureau supports.

AB 1330 (**Warren Furutani, Long Beach**) that would allow students to take a Career Technical Education course as one of the options to meet high school graduation requirement that currently only requires a single year of either Foreign Language or Art. AB 1330 passed the Assembly on a 78-0 vote. Farm Bureau supports.

SB 215 (**Bob Huff, R-Diamond Bar**) passed the Senate on a 39-0 vote and will now be heard in the Assembly. The measure will extend the sunset date of the current law to require the owner or manager of a water storage reservoir, to monitor the water body to prevent the introduction of invasive mussel species. Reservoirs not open to the public are exempt. Farm Bureau supports.

SB 459 (**Ellen Corbett, D-San Leandro**) would hold employers responsible for “willful misclassification” of an employee as an independent contractor without giving clear guidance or any objective test for an employer to make that determination. The bill passed out of the Senate on a partisan 24-12 vote. Farm Bureau opposes.

SB 489 (**Lois Wolk, D-Davis**) expands the reach of net metering to any renewable energy resource thus opening opportunities for net metering to a variety of projects. SB 489 passed out of the Senate on a 31-7 vote. Farm Bureau supports.

SB 535 (**Kevin De Leon, D-Los Angeles**) takes 10% of the revenues that will be raised by the state’s mandatory climate change program (AB 32) and places the funds in the California Communities Healthy Air Revitalization Trust housed in the State Treasury. These monies would be used in the most impacted and disadvantaged communities to fund projects that reduce greenhouse gas emissions or mitigate the impact of climate change. Farm Bureau opposes.

SB 618 (**Lois Wolk, D-Davis**) would encourage utility-scale photovoltaic (PV) solar energy facilities on marginally productive or physically impaired land, whether under a Williamson Act contract or not, to

enter into newly created solar use easement with the local jurisdiction. The bill would also require that the reclamation of the PV site in the solar use easement is non-renewed or abandoned. It should be noted that the bill provides an additional option, not an exclusive or mandated method, for siting large scale solar. The bill passed out of the Senate on a bipartisan vote. Farm Bureau supports.

SB 653 (Darrell Steinberg, D-Sacramento), which would dramatically expand the taxing authority for counties, school districts, county offices of education, and community college districts was sent to the Senate Inactive File, thus making it a two-year bill. Unfortunately, on the same day Senator Steinberg also amended **SBX1 23**, considered a budget trailer bill, with all of the SB 653 language. SBX1 23 is a First Extraordinary Session measure so it is not subject to the house of origin deadline of the Regular Session. Senator Steinberg did not want to lose any political leverage on Republican legislators in the ongoing State Budget negotiation, but he apparently either did not have the votes for passage of SB 653, or he did not want to force 21 members of the Democratic Caucus to vote for it if faced an uncertain future in the Assembly. Speaker Perez has indicated his support for this Draconian approach to local government finance.

SB 829 (Mark DeSaulnier, D-San Francisco) would substantially restrict an employer's ability to exercise the right to appeal Cal/OSHA citations. It would also require abatement of the hazard Cal/OSHA is alleging even if the employer appeals the citation. While a number of amendments have been taken, the bill still undermines employers' rights in dealing with Cal/OSHA citations by allowing private parties to interfere with the appeals process. It also imposes significant new costs and burdens on employers, the Cal/OSHA Appeals Board and on Cal/OSHA. As a result, CFBF and other employer groups remain opposed. The measure passed the Senate on a partisan 23-15 vote and is now in the Assembly.

The following bills did not pass out of its house of origin and are either dead or 2-year bills:

AB 10 (Luis Alejo, D-Watsonville) was reported in last week's Friday Review as raising the minimum wage to \$8 per hour and indexing it to inflation. In fact, it would have raised the minimum wage to \$8.50/hour and index it to inflation. AB 10 was held on the Assembly suspense calendar last week and is now a 2-year bill. Farm Bureau is opposed.

AB 950 (John A. Perez, D-Los Angeles) is a labor union sponsored bill that would require any drayage truck operator to be an employee of the company who arranges for or engages their services and would effectively ban all independent contractors or owner-operators from California ports. Farm Bureau and a large coalition of business, trucking and shipping associations worked together in opposition to this bill. AB 950 was ordered to the Assembly inactive file by Assembly Member Charles Calderon.

SB 129 (Mark Leno, D-San Francisco) which imposes numerous restrictions on employers' disciplinary actions against employees under the influence medical marijuana in the workplace was moved to the Senate inactive file this week, at the request of the author. Farm Bureau and most of the California business community have opposed.